



**Trillion Partners, Inc.
9208 Waterford Centre Blvd., Suite 150
Austin, Texas 78758**

December 12, 2010

Federal Communications Commission *Delivered via ECFS & email*
Attention: Ms. Gina Spade, Deputy Division Chief
Ms. Erica Myers, Wireline Competition Bureau
Ms. Dana Bradford, Wireline Competition Bureau

Telecommunications Access Policy Division
445 12th Street SW
Washington, DC 20554

Re:

Appeal
School District: New Corp., Oceanside, CA
Funding Year: 2009
FRN Denied: 1905905
Form 471 Application Denied: 694279
Reason for Denial: Communications

Dear Gina, Erica and Dana:

On November 3, 2010, Trillion filed a Master Appeal Summary with the FCC on ECFS, as well as provided the Master Appeal Summary to you via E-Mail and in hard copy. In the Master Appeal, Trillion provides the rationale as to why USAC's mass denial of funding is without merit. Please accept this Individual appeal for New Corp., along with the Master Appeal Summary, as well as the Appeal that will be filed by the applicant, as the appeal in its totality.

Communications

USAC is denying this application on the basis that

Funding Commitment Decision Explanation: DR1: The FRN will be denied because you did not conduct a fair and open competitive bidding process. The documentation provided by you and/or the service provider indicates that the school district engaged in numerous meetings, e-mail discussions, and/or verbal discussions with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process. Trillion was consulted and/or offered details about services and products you were requesting on your FCC Form 470 and/or Request for Proposal (RFP). The competitive bidding process was influenced by Trillion when they assisted you in developing your services specifications for your FCC Form 470/or RFP. You failed to conduct a fair and open competitive bidding process free from conflicts of interest.

Trillion Value System

Integrity & Ethics ♦ Professionalism & Respect ♦ Customer Driven ♦ Having Fun!

9208 Waterford Centre Boulevard Suite 150 Austin, Texas 78758 (512)334-4100

USAC Alleged Communication Issue:

USAC does not point to any specific information, data or communications that have created this denial of funding.

Communication Was Within Rules:

Trillion has reviewed the communications that were provided to USAC by Trillion. Trillion does not see any communication that would elicit a denial by USAC. Also, since USAC has not provided any data supporting their denial, Trillion would point the FCC to the Master Appeal Summary filed with the Commission on November 3, 2010. Trillion denies USAC's allegations and fully believes that all communications were within the rules in effect at the time.

Trillion respectfully requests that this appeal be granted.

Sincerely,

Trillion Partners, Inc.

Attachments:

- Master Appeal Summary dated November 3, 2010 as previously filed on November 3, 2010 under ECFS Number 2010113403548
- Funding Decision Commitment Letter (FCDL)

Cc:

Ron Reich, Intel Capital

Peter Pitsch, Intel

Trillion Value System

Integrity & Ethics ♦ Professionalism & Respect ♦ Customer Driven ♦ Having Fun!

9208 Waterford Centre Boulevard Suite 150 Austin, Texas 78758 (512)334-4100

FUNDING COMMITMENT REPORT
Service Provider Name: Trillion Partners, Inc
SPIN: 143025872
Funding Year: 2009

Name of Billed Entity: NEW CORP
Billed Entity Address: 217 ESCONDIDO AVE
Billed Entity City: VISTA
Billed Entity State: CA
Billed Entity Zip Code: 92084
Billed Entity Number: 228867
Contact Person's Name: Tom Halfaker
Preferred Mode of Contact: EMAIL
Contact Information: tom.halfaker@siatech.org
Form 471 Application Number: 694279
Funding Request Number: 1905905
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 108020000653891
Contract Number: SA-010808-000960
Billing Account Number: N/A
Service Start Date: 07/01/2009
Contract Expiration Date: 06/30/2013
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$19,670.16
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$.00
Pre-Discount Amount: \$19,670.16
Applicant's Discount Percentage Approved by SLD: 90%
Funding Commitment Decision: \$.00 - Selective - Bidding Violation
Funding Commitment Decision Explanation: MR1: The FRN was modified from \$8,000.00/1 Time to \$.00/1 Time to agree with the applicant documentation. <><><><><> DR1: The FRN will be denied because you did not conduct a fair and open competitive bidding process. The documentation provided by you and/or the service provider indicates that the school district engaged in numerous meetings, e-mail discussions, and/or verbal discussions with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process. Trillion was consulted and/or offered details about services and products you were requesting on your FCC Form 470 and/or Request for Proposal (RFP). The competitive bidding process was influenced by Trillion when they assisted you in developing your services specifications for your FCC Form 470/or RFP. You failed to conduct a fair and open competitive bidding process free from conflicts of interest.
FCDL Date: 10/20/2010
Wave Number: 070
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011